

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER

Criminal File No. 07-102 (MJD/JJG)

(1) LAFAYETTE DEANDRE VAN,

Defendant.

Michael A. Dees, Assistant United States Attorney, Counsel for Plaintiff.

Andrea K. George, Office of the Federal Defender, Counsel for Defendant.

This matter is before the Court on the parties' motions in limine. The Court heard oral argument on August 13, 2007. As the Court orally ordered during that hearing, and based upon the files, records, and proceedings herein, **IT IS**

HEREBY ORDERED:

1. Defendant Lafayette Deandre Van's Motion to Redact the Indictment [Docket Nos. 35 and 48] is **GRANTED**. The Court will provide the jury with the Old Chief stipulation offered by Van and with the redacted Indictment as submitted by Van during the August 13, 2007 hearing. This ruling does not prevent the Government from using the term "felon" during its opening and closing statements.
2. The Government's Motion in Limine [Docket No. 41] is **GRANTED IN PART** and **DENIED IN PART** as follows:

- a. The Government's motion to introduce excited utterances and present sense impressions in the form of 911 calls is **GRANTED**. The redacted 911 call will include the three highlighted lines discussed during the August 13, 2007 hearing.
- b. The Government's motion to introduce Van's past felony convictions for impeachment, if Van testifies, is **GRANTED IN PART** and **DENIED IN PART** as follows: the 1996 heroin conviction will not be admitted but all other more recent felony convictions will admitted for impeachment if Van testifies.

Dated: August 13, 2007

s / Michael J. Davis

Judge Michael J. Davis
United States District Court